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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

Implementation of the Pay)
Telephone Reclassification and)
Compensation Provisions of the)
Telecommunications Act of 1996)

CC Docket No. 96-128

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AT&T'S COMMENTS ON SWBT'S
COMPARABLY EFFICIENT INTERCONNECTION PLAN

Federal Communications Commission
Office of Secretary

Pursuant to the Commission's Public Notice released January 8, 1997,¹ AT&T Corp. ("AT&T") hereby submits these comments on the Southwestern Bell Telephone Company's ("SWBT's") comparably efficient interconnection ("CEI") plan for payphone service providers.²

In its CEI plan, SWBT states generally that it will purchase and use the same tariffed services that are available to other providers of payphone services. SWBT further states that it will satisfy the Commission's additional requirement that the

¹ Pleading Cycle Established for Comments on Comparably Efficient Interconnection Plans for Payphone Service Providers, Public Notice, CC Docket No. 96-128, DA 97-31, released January 8, 1997.

² The Commission required the Bell Operating Companies ("BOCs") to file CEI plans in Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, Report and Order, FCC 96-388, released September 20, 1996 ("Payphone Order"); and Order on Reconsideration, FCC 96-349, released November 8, 1996 ("Reconsideration Order").

BOCs meet the nonstructural safeguards standards adopted for their enhanced service offerings in Computer Inquiry III.³ In these comments, AT&T seeks clarification of certain aspects of SWBT's service that are not specifically addressed in the CEI plan.

First, SWBT's CEI plan and accompanying tariff pages do not provide sufficient detail as to the treatment of network-based functionalities for inmate payphones.⁴ However, it is AT&T's understanding that SWBT owns and operates inmate payphones that use certain network-based functionalities that are not currently available under tariff to operators of non-SWBT payphones. To ensure that SWBT is not treating its affiliated inmate payphones differently than the inmate payphones of other providers, the Commission should require SWBT to set forth expressly in its CEI plan and tariffs the network-based functionalities for inmate payphones that are currently available and make them available to all payphone service providers.⁵

³ See Amendment of Section 64.702 of the Commission's Rules and Regulations (Computer Inquiry III), Report and Order, 104 F.C.C.2d 958 (1986).

⁴ The only reference to inmate payphones is the Type II Selective Class of Call Screening Service -- Collect Only-Inmate Calls, where only an outgoing call billed to a called telephone number is permitted. See Exhibit B, page 3 of 4, of SWBT's CEI Plan.

⁵ "The safeguards the Commission adopted in Computer III and ONA include: (1) nondiscriminatory access to network features and functionalities [These] nonstructural safeguards must

(footnote continued on following page)

Moreover, SWBT should state explicitly that it will obtain those functionalities for its own inmate payphones at the same rates and under the same terms and conditions as are available to other payphone services providers.

SWBT should also make clear that its SmartCoin line service will be made available on a non-discriminatory basis to all payphone service providers. This service provides certain functions, such as coin supervision and coin rating, to customer provided payphones that are commonly referred to as "dumb sets." Despite the statement in SWBT's CEI plan (p. 13) that most of the underlying basic services utilized by SWBT in the provision of its Basic Payphone Service offering are currently tariffed and that tariffs were to be filed by January 15, 1997 for the remaining services, the proposed tariff states that "SmartCoin service is offered, at the customer's option, where the necessary facilities are available."⁶ At a minimum, SWBT should be required to amend its CEI plan to clarify that the service will

(footnote continued from previous page)

be applied to meet our obligation under the 1996 Act." Payphone Order, para. 200 (citations omitted). The Commission also noted that "any basic services provided by a BOC to its payphone affiliate must be available on a nondiscriminatory basis to other payphone providers." Id.

⁶ See, e.g., SWBT's Proposed P.S.C. Mo.-No. 35, General Exchange Tariff, Section 34, 6th Revised Sheet 2, attached as Exhibit C to SWBT's CEI Plan.

be available to non-SWBT payphone service providers at every central office where such service is provided to SWBT's payphone service affiliate, and to reflect such conditions of availability in its tariffs.

Furthermore, SWBT's CEI plan does not address SWBT's proposed treatment of uncollectibles due to fraud. To the extent that SWBT establishes a policy of foregoing uncollectibles due to fraud for its payphone service affiliates, the same treatment must be accorded to non-affiliates, regardless of whether such practice appears in SWBT's tariffs. In order to ensure such nondiscriminatory treatment, SWBT should be required to modify its CEI plan to address this issue directly.

Finally, SWBT's CEI plan does not address how SWBT will ensure that the primary interexchange carrier ("PIC") selection process for payphones will be performed in a non-discriminatory manner. As SWBT becomes both a provider of interexchange services and the administrator of the PIC selection process, it is imperative that its CEI plan describe adequate and appropriate safeguards to ensure fairness in that process.

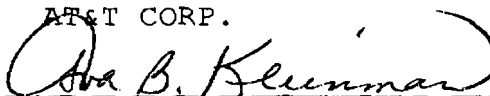
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For the reasons stated above, before SWBT's CEI plan is approved, SWBT should clarify its plan consistent with AT&T's comments.

Respectfully submitted,

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February 7, 1997

CERTIFICATE OF SERVICE

I, Rena Martens, do hereby certify that on this 7th day of February, 1997, a copy of the foregoing "AT&T's Comments on SWBT's Comparably Efficient Interconnection Plan" was mailed by U.S. first class mail, postage prepaid, to the parties listed below.

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